



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

BDE PROCEDURE MEMORANDUM

NUMBER: 42-04

**SUBJECT: Changes in the BDE Manual Guidance
on Air Quality and Related Subjects**

DATE: August 31, 2004

The information in this memorandum modifies the sections of the BDE Manual 2002 on Alternatives and Air Quality in Chapters 23, 24, and 25 and also revises Section 26-11 on Air Quality Conformity Documentation. Vertical lines in the margins indicate the location of changes in the affected text.

BACKGROUND

On April 30, 2004, the U.S. Environmental Protection Agency (USEPA) published final air quality designations and classifications covering all areas of the United States for the 8-hour ozone national ambient air quality standard. The designations and classifications are effective June 15, 2004. In the northeastern part of Illinois, Cook, DuPage, Kane, Lake, McHenry, and Will Counties, Aux Sable and Goose Lake Townships in Grundy County, and Oswego Township in Kendall County have been designated as moderate nonattainment areas for the 8-hour ozone standard. In the St. Louis area, Jersey, Madison, Monroe, and St. Clair Counties also have been designated as moderate nonattainment areas for the 8-hour standard. A number of the changes in this memorandum are intended to reflect these designations and classifications for the 8-hour ozone standard.

In addition, in May of 2003, the USEPA had determined that the St. Louis nonattainment area, which includes Madison, Monroe, and St. Clair Counties in Illinois, had attained the 1-hour standard. At that time, USEPA also approved Illinois' plan for maintaining the 1-hour ozone standard as a revision to the Illinois State Implementation Plan. The changes addressed in this memorandum also are intended to recognize the maintenance area status of the Illinois portion of the former St. Louis ozone nonattainment area for the 1-hour standard and to reflect that air quality conformity requirements are applicable to maintenance areas. *(Note: USEPA has indicated that it intends to revoke the 1-hour ozone standard in June of 2005. The BDE Manual will be revised to reflect that change when it occurs.)*

The changes in Sections 24-3.06 and 25-3.08 also include the addition of recommended wording for use when it is determined that stand-alone Congestion Management System alternatives will not satisfy a project's

BDE PROCEDURE MEMORANDUM 42-04

August 31, 2004

Page 2

purpose and need. In addition, in Sections 23-1.05(d), 24-3.06, and 25-3.08, we have deleted parenthetical references to carbon monoxide and ozone nonattainment areas to eliminate the need for updating these references when changes occur. We also are revising Sections 24-3.05 and 25-3.07(d) to acknowledge current maintenance areas for the PM₁₀ air quality standard and are modifying Sections 23-2.02(e), 24-3.07(e) and 25-3.09(e) to add recommended wording for addressing construction-related particulate matter air quality impacts.

USEPA has indicated that it plans to finalize nonattainment area designations for the PM_{2.5} standard toward the end of 2004. When the PM_{2.5} nonattainment designations are published in the Federal Register, further revisions will be made to the BDE Manual as necessary to reflect any such designations for areas in Illinois.

APPLICABILITY

The following procedures are applicable to State highway projects.

PROCEDURES

Changes Affecting Chapter 23

Section 23-1.05(d) Group II Actions

The third paragraph on page 23-1(9) is revised to read as follows:

For Group II projects that would significantly increase capacity for single occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new highway) in areas designated as nonattainment for carbon monoxide or ozone, the Phase I Engineering Report must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single occupancy vehicles.) See Section 24-3.06 for recommended wording to address this requirement.

Section 23-2.01(d) - Class of Action Determination Document

The "Project Alternatives" paragraph in the Class of Action Determination Document is revised to read as follows:

Project Alternatives: Provide a brief, one-paragraph description for each reasonable alternative and indicate the amount of new right-of-way the alternative would require. Attach a project location map and other exhibits, as appropriate, to explain the nature of the proposed alternative and its setting. The preferred alternative should be indicated, when known. (See Section 22-3.09 for further guidance.) For projects that would significantly increase capacity for single occupancy vehicles (i.e., by adding lanes to an existing

BDE PROCEDURE MEMORANDUM 42-04

August 31, 2004

Page 3

highway or constructing a new highway) in areas designated as nonattainment for carbon monoxide or ozone, the alternatives section must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single occupancy vehicles.) See Section 24-3.06 for recommended wording to address this requirement.

Section 23-2.02(e) Air Quality

The "Attainment/Nonattainment Status paragraph on page 23-2(11) is revised to read as follows:

1. Attainment/Nonattainment Status. Determine whether the highway project is located wholly or partly in a portion of the State classified by the US Environmental Protection Agency as a nonattainment area or maintenance area for a transportation-related criteria pollutant. Follow the procedures in Section 26-11 and document the determination in the ECAD Record.

The following is added to this section:

3. Construction-Related Particulate Matter. Include wording such as the following to address construction-related particulate matter air quality impacts:

Demolition and construction activities can result in short-term increases in fugitive dust and equipment-related particulate emissions in and around the project area. (Equipment-related particulate emissions can be minimized if the equipment is well maintained.) The potential air quality impacts will be short-term, occurring only while demolition and construction work is in progress and local conditions are appropriate.

The potential for fugitive dust emissions typically is associated with building demolition, ground clearing, site preparation, grading, stockpiling of materials, on-site movement of equipment, and transportation of materials. The potential is greatest during dry periods, periods of intense construction activity, and during high wind conditions.

The Department's Standard Specifications for Road and Bridge Construction include provisions on dust control. Under these provisions, dust and airborne dirt generated by construction activities will be controlled through dust control procedures or a specific dust control plan, when warranted. The contractor and the Department will meet to review the nature and extent of dust-generating activities and will cooperatively develop specific types of control techniques appropriate to the specific situation. Techniques that may warrant consideration include measures such as minimizing track-out of soil onto nearby publicly-traveled roads, reducing speed on unpaved roads, covering

haul vehicles, and applying chemical dust suppressants or water to exposed surfaces, particularly those on which construction vehicles travel. With the application of appropriate measures to limit dust emissions during construction, this project will not cause any significant, short-term particulate matter air quality impacts.

Changes Affecting Chapter 24

Section 24-3.05 Affected Environment

The "Air Quality" section on pages 24-3(5) to 24-3(7) is revised to read as follows:

3. Air Quality. Include wording similar to the following to address Air Quality aspects of the affected environment for the proposed project:

The National Ambient Air Quality Standards (NAAQS), established by the U.S. Environmental Protection Agency, set maximum allowable concentration limits for six criteria air pollutants. Areas in which air pollution levels persistently exceed the NAAQS may be designated as "nonattainment." States in which a nonattainment area is located must develop and implement a State Implementation Plan (SIP) containing policies and regulations that will bring about attainment of the NAAQS.

All areas of Illinois currently are in attainment of the standards for four of the six criteria pollutants: carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead.

[Revocation of the 1-hour ozone standard is scheduled for June 15, 2005. The first paragraph below should be used until new guidance is issued to reflect revocation of the standard. The remaining paragraphs should continue to be used until subsequently revised or rescinded.]

For the 1-hour ozone standard, Chicago is classified as a severe nonattainment area and Jersey, Madison, Monroe, and St. Clair Counties are classified as maintenance areas for that standard. The Chicago nonattainment area includes Cook, DuPage, Kane, Lake, McHenry, and Will Counties, Aux Sable and Goose Lake Townships in Grundy County, and Oswego Township in Kendall County.

For the 8-hour ozone standard, Cook, DuPage, Kane, Lake, McHenry, and Will Counties, as well as Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County, have been designated as moderate nonattainment areas. Jersey, Madison, Monroe, and St. Clair Counties in the St. Louis area also have been designated as moderate nonattainment areas for the 8-hour ozone standard.

The Lake Calumet area and Lyons Township in Cook County have been designated as nonattainment for the particulate matter (PM₁₀) standard. In

BDE PROCEDURE MEMORANDUM 42-04

August 31, 2004

Page 5

addition, Oglesby and several adjacent townships in LaSalle County, and Granite City Township and Nameoki Township in Madison County have been designated as maintenance areas for the PM₁₀ standard. The sources of particulate matter that prompted the nonattainment and maintenance classifications are unrelated to transportation. All other areas of Illinois currently are in attainment for the ozone and PM₁₀ standards.

[Use the appropriate statement from the following:]

No portion of this project is located within a designated nonattainment area or maintenance area.

or

This project is [totally/partially] located within an area designated as [nonattainment/a maintenance area] for the [indicate criteria pollutant standard(s) involved] standard(s) of the NAAQS.

If a proposed project is located within a designated nonattainment area or maintenance area, include information to describe the numerical standard for the criteria pollutant(s) for which the area is in nonattainment or maintenance status. Also include summary information on the results of recent air quality monitoring in the nonattainment or maintenance area for the criteria pollutant(s) involved in the nonattainment or maintenance classification. Air quality monitoring information can be obtained from the most recent "Illinois Annual Air Quality Report" issued by the Illinois EPA. Also include the following paragraphs concerning the Air Quality Index:

The Air Quality Index (AQI) is the current national standard method for reporting air pollution levels to the general public. The AQI is based on the short-term Federal National Ambient Air Quality Standards (NAAQS), the Federal episode criteria, and the Federal Significant Harm levels for five of the "criteria pollutants," namely, ground-level Ozone (O₃), Sulfur Dioxide (SO₂), Carbon Monoxide (CO), Particulate Matter (PM), and Nitrogen Dioxide (NO₂). The AQI levels have been divided into six categories: "Good" (0-50), "Moderate" (51-100), "Unhealthy for Sensitive Groups" (101-150), "Unhealthy" (151-200), "Very Unhealthy" (201-300), and "Hazardous" (301-500).

The AQI classification of "Unhealthy for Sensitive Groups" occurs on occasion in Illinois under the 8-hour ozone and PM_{2.5} standards. AQI classifications of "Unhealthy" are uncommon and classifications of "Very Unhealthy" are rare in the State. To date, no classifications of "Hazardous" air quality have occurred in Illinois.

Section 24-3.06 Alternatives

The Alternatives discussion on pages 24-3(10) to 24-3(12) is revised to read as follows:

A brief description should be provided for each reasonable alternative under consideration including the "no-action" alternative. Each alternative should be presented at a comparable level of detail and referenced to an exhibit. The principal features of each alternative (e.g., major design aspects such as access control, pavement/shoulder width, and interchanges) should be identified. The discussion should provide only the level of detail necessary for understanding the relationship between the "Purpose and Need" for the project and the proposed alternatives.

Any alternative that was studied and eliminated from further consideration should be described in a brief paragraph, including the reason(s) it is no longer being considered. Supporting information should be quantified as practical so that reviewers can understand the basis for its elimination.

For projects that would significantly increase capacity for single-occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new highway) in areas designated as nonattainment for carbon monoxide or ozone, the alternatives section must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single-occupancy vehicles.) The following paragraphs provide recommended wording for use in addressing this requirement.

Congestion Management System Alternatives

The provisions of 23 CFR 450.320 and 23 CFR 500.105(a) place restrictions on the use of Federal funds for projects in Transportation Management Areas (TMAs) designated as nonattainment for carbon monoxide and/or ozone. In these areas, Federal funds may not be programmed for any project that will significantly increase capacity for single-occupancy vehicles (SOVs) unless the project is a component of a Congestion Management System (CMS). The CMS is required to provide an appropriate analysis of alternatives to the proposal for adding SOV capacity, including all reasonable congestion management strategies. If the analysis demonstrates that other alternatives and/or congestion management strategies cannot fully satisfy the need for additional capacity and that, therefore, the additional SOV capacity is warranted, the CMS must identify all reasonable strategies that will maintain the functional integrity of the additional lanes. All identified reasonable strategies must be incorporated into the project.

[For projects in the Chicago metro area]

Individual projects involving addition of SOV capacity were evaluated, selected, and prioritized in the course of developing the Fiscal Year [insert appropriate years] Transportation Improvement Program (TIP) and the long-range [insert appropriate year] Regional Transportation Plan (RTP) for Northeastern Illinois. The Northeastern Illinois CMS is documented via the following materials which are available through the Chicago Area Transportation Study (CATS):

- Congestion Management System for Northeastern Illinois, Technical Supplement, [month, year].*
- Congestion Management Handbook, [month, year].*
- Congestion Management System for Northeastern Illinois, [insert appropriate year] Status Report.*

As indicated in the documents listed above, the development process for the TIP and Regional Transportation Plan constitutes the CMS for Northeastern Illinois. This process documents warranted projects for adding SOV capacity and, as applicable, also documents that regional and/or project-specific alternatives such as Transportation Demand Management measures, High Occupancy Vehicle measures, Transit Capital Improvements, Congestion Pricing, Growth Management, and Incident Management would not obviate the need for adding SOV capacity. Planned projects resulting from the CMS are documented in the CMS status report referenced above. [Include the following sentence, when applicable.] For this project, it has been determined that stand-alone CMS alternatives will not satisfy the project purpose and need and, therefore, this undertaking is a warranted project for adding SOV capacity.

Reasonable project-specific CMS strategies, including Traffic Operational Improvements, Transit Operational Improvements, Non-motorized modes/measures (Pedestrian/Bicycle), Intelligent Transportation System (ITS), and Access Management, have been incorporated into this project to the extent practical. Specific strategies incorporated include [list the strategies (as described in the CMS Handbook) such as adding turning lanes, modernizing signals, signal interconnect, ITS (adding dynamic message signs, highway advisory radio, fiber optic, etc.), sidewalk/bicycle accommodations, access consolidation, and/or barrier median to control access, etc.]. [Add the following, if applicable:] With respect to Transit Operational Improvements, coordination occurred with [PACE/Metra/CTA]. Based on this coordination the following transit improvements were included in the project: [briefly describe any included transit projects and reference pertinent correspondence].

As documented in the above information, this project results from the CMS for Northeastern Illinois as a warranted project for adding SOV capacity and all

reasonable congestion management strategies have been incorporated into the project to sustain its effectiveness.

Section 24-3.07(e) Air Quality

The air quality discussion on pages 24-3(18) to 24-3(20) is revised to include the following paragraphs:

3. Construction-Related Particulate Matter. Include wording such as the following to address construction-related particulate matter air quality impacts:

Demolition and construction activities can result in short-term increases in fugitive dust and equipment-related particulate emissions in and around the project area. (Equipment-related particulate emissions can be minimized if the equipment is well maintained.) The potential air quality impacts will be short-term, occurring only while demolition and construction work is in progress and local conditions are appropriate.

The potential for fugitive dust emissions typically is associated with building demolition, ground clearing, site preparation, grading, stockpiling of materials, on-site movement of equipment, and transportation of materials. The potential is greatest during dry periods, periods of intense construction activity, and during high wind conditions.

The Department's Standard Specifications for Road and Bridge Construction include provisions on dust control. Under these provisions, dust and airborne dirt generated by construction activities will be controlled through dust control procedures or a specific dust control plan, when warranted. The contractor and the Department will meet to review the nature and extent of dust-generating activities and will cooperatively develop specific types of control techniques appropriate to the specific situation. Techniques that may warrant consideration include measures such as minimizing track-out of soil onto nearby publicly-traveled roads, reducing speed on unpaved roads, covering haul vehicles, and applying chemical dust suppressants or water to exposed surfaces, particularly those on which construction vehicles travel. With the application of appropriate measures to limit dust emissions during construction, this project will not cause any significant, short-term particulate matter air quality impacts.

Changes Affecting Chapter 25

Section 25-3.07(d) Air Quality

The Air Quality discussion on pages 25-3(7) to 25-3(9) is revised to read as follows:

Include wording similar to the following to address Air Quality aspects of the affected environment for the proposed project:

The National Ambient Air Quality Standards (NAAQS), established by the U.S. Environmental Protection Agency, set maximum allowable concentration limits for six criteria air pollutants. Areas in which air pollution levels persistently exceed the NAAQS may be designated as "nonattainment." States in which a nonattainment area is located must develop and implement a State Implementation Plan (SIP) containing policies and regulations that will bring about attainment of the NAAQS.

All areas of Illinois currently are in attainment of the standards for four of the six criteria pollutants: carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead.

[Revocation of the 1-hour ozone standard is scheduled for June 15, 2005. The first paragraph below should be used until new guidance is issued to reflect revocation of the standard. The remaining paragraphs should continue to be used until subsequently revised or rescinded.]

For the 1-hour ozone standard, Chicago is classified as a severe nonattainment area and Jersey, Madison, Monroe, and St. Clair Counties are classified as maintenance areas for that standard. The Chicago nonattainment area includes Cook, DuPage, Kane, Lake, McHenry, and Will Counties, Aux Sable and Goose Lake Townships in Grundy County, and Oswego Township in Kendall County.

For the 8-hour ozone standard, Cook, DuPage, Kane, Lake, McHenry, and Will Counties, as well as Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County, have been designated as moderate nonattainment areas. Jersey, Madison, Monroe, and St. Clair Counties in the St. Louis area also have been designated as moderate nonattainment areas for the 8-hour ozone standard.

The Lake Calumet area and Lyons Township in Cook County have been designated as nonattainment for the particulate matter (PM₁₀) standard. In addition, Oglesby and several adjacent townships in LaSalle County, and Granite City Township and Nameoki Township in Madison County have been designated as maintenance areas for the PM₁₀ standard. The sources of particulate matter that prompted the nonattainment and maintenance classifications are unrelated to transportation. All other areas of Illinois currently are in attainment for the ozone and PM₁₀ standards.

BDE PROCEDURE MEMORANDUM 42-04

August 31, 2004

Page 10

[Use the appropriate statement from the following:]

No portion of this project is located within a designated nonattainment area or maintenance area.

or

This project is [totally/partially] located within an area designated as [nonattainment/a maintenance area] for the [indicate criteria pollutant standard(s) involved] standard(s) of the NAAQS.

If a proposed project is located within a designated nonattainment area or maintenance area, include information to describe the numerical standard for the criteria pollutant(s) for which the area is in nonattainment or maintenance status. Also include summary information on the results of recent air quality monitoring in the project vicinity for the criteria pollutant(s) involved in the nonattainment or maintenance classification. Air quality monitoring information can be obtained from the most recent "Illinois Annual Air Quality Report" issued by the Illinois EPA. Also include the following paragraphs concerning the Air Quality Index:

The Air Quality Index (AQI), is the current national standard method for reporting air pollution levels to the general public. The AQI is based on the short-term Federal National Ambient Air Quality Standards (NAAQS), the Federal episode criteria, and the Federal Significant Harm levels for five of the "criteria pollutants," namely, ground-level Ozone (O₃), Sulfur Dioxide (SO₂), Carbon Monoxide (CO), Particulate Matter (PM), and Nitrogen Dioxide (NO₂). The AQI levels have been divided into six categories: "Good" (0-50), "Moderate" (51-100), "Unhealthy for Sensitive Groups" (101-150), "Unhealthy" (151-200), "Very Unhealthy" (201-300), and "Hazardous" (301-500).

The AQI classification of "Unhealthy for Sensitive Groups" occurs on occasion in Illinois under the 8-hour ozone and PM_{2.5} standards. AQI classifications of "Unhealthy" are uncommon and classifications of "Very Unhealthy" are rare in the State. To date, no classifications of "Hazardous" air quality have occurred in Illinois.

Section 25-3.08 Alternatives

The Alternatives discussion on pages 25-3(11) to 25-3(13) is revised to read as follows:

In addition to the information in the cited references, the following guidance applies to this part of the EIS.

For projects that would significantly increase capacity for single-occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new

highway) in areas designated as nonattainment for carbon monoxide or ozone, the alternatives section must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single-occupancy vehicles.) The following paragraphs provide recommended wording for use in addressing this requirement:

Congestion Management System Alternatives

The provisions of 23 CFR 450.320 and 23 CFR 500.105(a) place restrictions on the use of Federal funds for projects in Transportation Management Areas (TMAs) designated as nonattainment for carbon monoxide and/or ozone. In these areas, Federal funds may not be programmed for any project that will significantly increase capacity for single-occupancy vehicles (SOVs) unless the project is a component of a Congestion Management System (CMS). The CMS is required to provide an appropriate analysis of alternatives to the proposal for adding SOV capacity, including all reasonable congestion management strategies. If the analysis demonstrates that other alternatives and/or congestion management strategies cannot fully satisfy the need for additional capacity and that, therefore, the additional SOV capacity is warranted, the CMS must identify all reasonable strategies that will maintain the functional integrity of the additional lanes. All identified reasonable strategies must be incorporated into the project.

[For projects in the Chicago metro area]

Individual projects involving addition of SOV capacity were evaluated, selected, and prioritized in the course of developing the Fiscal Year [insert appropriate years] Transportation Improvement Program (TIP) and the long-range [insert appropriate year] Regional Transportation Plan (RTP) for Northeastern Illinois. The Northeastern Illinois CMS is documented via the following materials which are available through the Chicago Area Transportation Study (CATS):

- *Congestion Management System for Northeastern Illinois, Technical Supplement, [month, year].*
- *Congestion Management Handbook, [month, year].*
- *Congestion Management System for Northeastern Illinois, [insert appropriate year] Status Report.*

As indicated in the documents listed above, the development process for the TIP and Regional Transportation Plan constitutes the CMS for Northeastern Illinois. This process documents warranted projects for adding SOV capacity and, as applicable, also documents that regional and/or project-specific alternatives such as Transportation Demand Management measures, High

Occupancy Vehicle measures, Transit Capital Improvements, Congestion Pricing, Growth Management, and Incident Management would not obviate the need for adding SOV capacity. Planned projects resulting from the CMS are documented in the CMS status report referenced above. [Include the following sentence, when applicable.] For this project, it has been determined that stand-alone CMS alternatives will not satisfy the project purpose and need and, therefore, this undertaking is a warranted project for adding SOV capacity.

Reasonable project-specific CMS strategies, including Traffic Operational Improvements, Transit Operational Improvements, Non-motorized modes/measures (Pedestrian/Bicycle), Intelligent Transportation System (ITS), and Access Management, have been incorporated into this project to the extent practical. Specific strategies incorporated include [list the strategies (as described in the CMS Handbook) such as adding turning lanes, modernizing signals, signal interconnect, ITS (adding dynamic message signs, highway advisory radio, fiber optic, etc.), sidewalk/bicycle accommodations, access consolidation, and/or barrier median to control access, etc.]. [Add the following, if applicable:] With respect to Transit Operational Improvements, coordination occurred with [PACE/Metra/CTA]. Based on this coordination the following transit improvements were included in the project: [briefly describe any included transit projects and reference pertinent correspondence].

As documented in the above information, this project results from the CMS for Northeastern Illinois as a warranted project for adding SOV capacity and all reasonable congestion management strategies have been incorporated into the project to sustain its effectiveness.

Section 25-3.09(e) Air Quality

The air quality discussion on pages 25-3(24) and 25-3(25) is revised to include the following paragraphs:

3. Construction-Related Particulate Matter. Include wording such as the following to address construction-related particulate matter air quality impacts:

Demolition and construction activities can result in short-term increases in fugitive dust and equipment-related particulate emissions in and around the project area. (Equipment-related particulate emissions are usually insignificant when equipment is well maintained.) The potential air quality impacts will be short-term, occurring only while demolition and construction work is in progress and local conditions are appropriate.

The potential for fugitive dust emissions typically is associated with building demolition, ground clearing, site preparation, grading, stockpiling of materials, on-site movement of equipment, and

transportation of materials. The potential is greatest during dry periods, periods of intense construction activity, and during high wind conditions.

The Department's Standard Specifications for Road and Bridge Construction include provisions on dust control. Under these provisions, dust and airborne dirt generated by construction activities will be controlled through dust control procedures or a specific dust control plan, when warranted. The contractor and the Department will meet to review the nature and extent of dust-generating activities and will cooperatively develop specific types of control techniques appropriate to the specific situation. Techniques that may warrant consideration include measures such as minimizing track-out of soil onto nearby publicly-traveled roads, reducing speed on unpaved roads, covering haul vehicles, and applying chemical dust suppressants or water to exposed surfaces, particularly those on which construction vehicles travel. With the application of appropriate measures to limit dust emissions during construction, this project will not cause any significant, short-term particulate matter air quality impacts.

Changes Affecting Chapter 26

Section 26-11 Air Quality Conformity Documentation

The following replaces the discussion of Air Quality Conformity Documentation on pages 26-11(1) through 26-11(8):

26-11.01 Background

Section 176(c)(4) of the Clean Air Act Amendments of 1990 requires that transportation plans, programs, and projects which are funded or approved under Title 23 USC must be determined to conform with State or Federal air implementation plans. Such implementation plans describe how air quality standards will be achieved in those areas of a State in which standards are being exceeded and how they will be maintained in areas that have been re-designated from nonattainment to maintenance status. Conformity to an implementation plan is defined in the Clean Air Act as conformity to an implementation plan's purpose of eliminating or reducing the severity and number of violations of the national ambient air quality standards and achieving expeditious attainment of such standards. Federal activities may not cause or contribute to new violations of air quality standards, exacerbate existing violations, or interfere with the timely reduction of emissions as reflected in the State implementation plan. The implementing regulations for determining conformity of transportation projects (40 CFR Part 93, "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Funded or Approved Under Title 23 USC or the Federal Transit Act") also

impose requirements upon “regionally significant projects”* in nonattainment areas and maintenance areas** regardless of whether those projects involve Federal funding or approvals.

Transportation-related criteria pollutants include Ozone (O₃), Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), particles with an aerodynamic diameter less than or equal to a nominal 10 microns (PM₁₀), and particles with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}). Precursors of these pollutants also are considered in regional air quality analyses for nonattainment areas. The primary precursors include volatile organic compounds (VOC) and oxides of nitrogen (NO_x) in ozone areas; NO_x in NO₂ areas; and VOC and NO_x in PM₁₀ and PM_{2.5} areas.

BDE will disseminate information to all districts regarding the location, boundaries, and applicable criteria pollutant(s) for nonattainment areas and maintenance areas in Illinois. Updates to this information will be issued as changes are published in the *Federal Register*.

26-11.02 Applicability

The following procedures are applicable to all State highway projects funded or approved by the Federal Highway Administration under Title 23 USC and to “regionally significant projects” in nonattainment areas and maintenance areas, regardless of whether such projects are Federally funded or approved under Title 23.

* *“Regionally significant projects” means transportation projects (other than exempted projects) that are on facilities which serve regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area’s transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.*

** *“Maintenance area” means any geographic region of the United States previously designated nonattainment pursuant to the Clean Air Act Amendments of 1990 and subsequently re-designated to attainment subject to the requirement to develop a maintenance plan under section 175A of the Clean Air Act, as amended.*

26-11.03 Procedures

26-11.03(a) Determining Project Involvement with Designated Nonattainment Areas or Maintenance Areas

In the preparation of environmental documentation for projects subject to these procedures, districts should review the most recent information from BDE regarding those areas of Illinois that have been designated as nonattainment for one or more of the criteria pollutants or that have been designated as maintenance areas. If the proposed improvement is partially or completely within a designated nonattainment area or maintenance area it will be subject to the conformity requirements unless the type of work involved is exempted (refer to the following section). The USEPA rules do not currently require conformity determinations for projects outside of nonattainment or maintenance areas (i.e., within attainment areas).

26-11.03(b) Determining Whether Project is Exempt from Conformity Requirements

The USEPA conformity rules for transportation projects exempt the project types listed below from the requirement for a conformity determination. The determination of whether a particular action is exempt from the conformity requirement, in most cases, is made during the development of the Transportation Improvement Program (TIP) prior to the initiation of Phase I planning. Note that a particular project of a type listed is not exempt if the Metropolitan Planning Organization, in consultation with other agencies, the EPA, and FHWA, concurs that it has potentially adverse emissions impacts for any reason.

Exempt Projects:

1. Safety

- Railroad/highway crossing.
- Hazard elimination program.
- Safer non-Federal-aid system roads.
- Shoulder improvements.
- Increasing sight distance.
- Safety improvement program.
- Traffic control devices and operating assistance other than signalization projects.
- Railroad/highway crossing warning devices.
- Guardrails, median barriers, crash cushions.
- Pavement resurfacing and/or rehabilitation.
- Pavement marking demonstration.
- Emergency relief.
- Fencing.
- Skid treatments.

- Safety roadside rest areas.
- Adding medians.
- Truck climbing lanes outside urbanized areas.
- Lighting improvements.
- Widening narrow pavements or reconstructing bridges (no additional travel lanes).
- Emergency truck pullovers.

2. Air Quality

- Bicycle and pedestrian facilities.

3. Other

- Specific activities which do not involve or lead directly to construction, such as:
 - + Planning and technical studies.
 - + Federal-aid systems revisions.
 - + Planning activities conducted pursuant to 23 and 49 U.S.C.
- Engineering to assess social, economic, and environmental effects of a proposed action or alternatives to that action.
- Noise attenuation.
- Advance land acquisitions (23 CFR Part 712 or 23 CFR Part 771)
- Acquisition of scenic easements.
- Plantings, landscaping, etc.
- Sign removal.
- Directional and informational signs.
- Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
- Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity changes.

4. Exempt from Regional Emissions Analyses

- Intersection channelization projects.
- Intersection signalization projects at individual intersections.

- Interchange reconfiguration projects.
- Changes in vertical and horizontal alignments.
- Truck size and weight inspection stations.

26-11.03(c) Determining Highway Project Conformity

To determine conformity of non-exempted projects within designated nonattainment areas or maintenance areas, the district must ascertain whether the project is from a conforming transportation plan and a conforming Transportation Improvement Program (TIP) and satisfies other applicable conditions as specified in the conformity rules. As used in this procedure, the term "transportation plan" refers to the official intermodal metropolitan transportation plan that is developed through the metropolitan planning process for the metropolitan planning area pursuant to 23 CFR Part 450. The term "Transportation Improvement Program" refers to the staged, multi-year, intermodal program of transportation projects covering a metropolitan planning area which is consistent with the metropolitan transportation plan and is developed pursuant to 23 CFR Part 450. The district should contact the Office of Planning and Programming if confirmation or clarification is needed regarding whether a specific project was in a conforming plan and TIP.

The project conforms with the requirements of the Clean Air Act if the district confirms that the following statements are applicable to the action:

- The project was included in a conforming transportation plan and TIP.
- The project design concept and scope have not changed significantly from what was reflected in the conformity analysis for the plan and TIP.
- The project will comply with PM₁₀ control measures in the State implementation plan.

(Other criteria and procedures will apply for determining conformity of projects within CO or PM₁₀ nonattainment areas. Districts should contact BDE for further guidance regarding such projects as the need arises.)

To determine conformity for projects in nonattainment areas or maintenance areas outside of locations served by Metropolitan Planning Organizations, the district should contact BDE and the Office of Planning and Programming to initiate a regional emissions analysis. The purpose of this analysis is to demonstrate that the proposed project will not cause nor contribute to any new localized violations nor increase the frequency or severity of any existing violations of the national ambient air quality standards for the transportation-related criteria pollutant(s). The project will be determined to conform with the requirements of the 1990 Clean Air Act Amendments upon the concurrence of FHWA in the regional emissions analysis supporting this finding.

Projects must be found to conform before they are adopted, accepted, approved, or funded. Conformity must be re-determined if none of the following major steps has occurred within three years of the conformity determination — NEPA process completion; start of final design; acquisition of a significant portion of the right-of-way; or approval of the plans, specifications, and estimates. A new conformity determination also will be required if there is a significant change in project design concept and scope or if a supplemental environmental document is initiated for air quality purposes.

Regionally significant projects that do not involve Federal approvals or funding from FHWA do not require conformity determinations. However, under the conformity rules, IDOT may not approve these projects unless there is a currently conforming transportation plan and TIP for the area in which the project is located and the project satisfies specific conditions regarding its potential effect on regional air quality. The district should contact BDE relative to regionally significant non-Federal projects in nonattainment areas or maintenance areas for guidance regarding these special conditions.

26-11.03(d) Documentation

The environmental documentation for all projects subject to these procedures must include a statement regarding the status of the project with regard to the Clean Air Act conformity regulations (i.e., indicating that the project is outside of any designated nonattainment area or maintenance area, that the project is of a type exempted from conformity requirements, or that the project has been determined to satisfy the conformity regulations). The following paragraphs indicate the different statements that should be used for this documentation.

Note: For those statements that include references to dates (e.g., for Transportation Improvement Programs and plans), the district should enter the dates in effect at the time of the conformity determination. BDE should be contacted for guidance if questions arise regarding particular projects.

1. **Projects outside of nonattainment areas or maintenance areas.** For projects which the district determines are completely outside of any designated nonattainment areas or maintenance areas, the following statement should be included in the project environmental documentation:

No portion of this project is within a designated nonattainment area or maintenance area for any of the air pollutants for which the USEPA has established standards. Accordingly, a conformity determination under 40 CFR Part 93 ("Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Funded or Approved Under Title 23 USC or the Federal Transit Act") is not required.

2. **Exempt projects.** For actions which the district determines are located within a designated nonattainment area or maintenance area but which are covered by the exempt projects lists in Section 26-11.03(b) (which includes project types exempt from conformity and those exempt from regional emissions analyses), the following statement should be included in the project environmental documentation:

This project is located within a designated [nonattainment area/maintenance area] but is a project type which the USEPA has designated to be exempt from inclusion in the regional emissions analyses of transportation plans and Transportation Improvement Programs for purposes of determining conformity with the State Implementation Plan (SIP). This designation is based on USEPA's determination that the nature of the project is such that it would not affect the outcome of a regional emissions analysis.

3. **Projects within a portion of a nonattainment area or maintenance area for which the Chicago Area Transportation Study (CATS) is the MPO.** The following paragraphs should be used to document the necessary findings for conformity of projects within a nonattainment area or maintenance area for which CATS is the MPO:

This project is included in the FY [indicate years] Transportation Improvement Program (TIP) endorsed by the Policy Committee of the Chicago Area Transportation Study (CATS), the Metropolitan Planning Organization (MPO) for the region in which the project is located. Projects in the TIP are considered to be consistent with the [indicate year] regional transportation plan endorsed by CATS.

On [indicate date], the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) determined that the [indicate year] regional transportation plan conforms with the State Implementation Plan (SIP) and the transportation-related requirements of the 1990 Clean Air Act Amendments. On [indicate date], the FHWA and the FTA determined that the TIP also conforms with the SIP and the Clean Air Act Amendments. These findings were in accordance with 40 CFR Part 93, "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Funded or Approved Under Title 23 USC or the Federal Transit Act."

The project's design concept and scope are consistent with the project information used for the TIP conformity analysis. Therefore, this project conforms to the existing State Implementation Plan and the transportation-related requirements of the 1990 Clean Air Act Amendments.

4. **Projects within a nonattainment area or maintenance area served by a Metropolitan Planning Organization other than CATS.** The following paragraphs should be used to document the necessary findings for conformity of projects within a nonattainment area or maintenance area served by a Metropolitan Planning Organization other than CATS:

This project is included in the Long-Range Transportation Plan and in the [indicate years] Transportation Improvement Program (TIP) endorsed by [indicate name of MPO], the Metropolitan Planning Organization (MPO) for the region in which the project is located.

On [indicate date] the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) determined that the Long-Range Transportation Plan conforms with the transportation-related provisions of the Clean Air Act Amendments of 1990. The FHWA and the FTA determined on [indicate date] that the TIP conforms to the Clean Air Act Amendments. These findings were in accordance with 40 CFR Part 93, "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and projects Funded or Approved Under Title 23 USC or the Federal Transit Act."

The project's design concept and scope are consistent with the project information used for the TIP conformity analysis. Therefore, this project conforms to the existing State Implementation Plan and the transportation-related requirements of the 1990 Clean Air Act Amendments.

5. **Projects within a nonattainment area or maintenance area not served by a Metropolitan Planning Organization.** For projects which the district determines will be located within a nonattainment area or maintenance area outside an area served by a Metropolitan Planning Organization, the following paragraphs should be used to document the necessary analysis and finding by the FHWA for conformity:

This project is located within an area that the USEPA has designated as [nonattainment/a maintenance area] in relation to the national ambient air quality standards for [insert name(s) of applicable criteria pollutant(s)]. The project is outside of an area served by a Metropolitan Planning Organization (MPO).

The Federal Highway Administration (FHWA) has reviewed the results of a regional emissions analysis prepared by the Illinois Department of Transportation that includes the proposed project. Based on the results of this analysis, the FHWA has determined that the project will not cause or contribute to any new localized violations of the standard[s] for [insert name(s) of applicable criteria pollutant(s)] nor increase the frequency or severity of any existing violations of the [insert name(s) of applicable criteria pollutant(s)] standard[s]. Therefore, this project

conforms to the transportation-related requirements of the 1990 Clean Air Act Amendments.

6. **"Regionally significant" non-Federal projects within a nonattainment area or maintenance area.** For "regionally significant" projects located in a nonattainment area or maintenance area that do not involve funding or approvals from FHWA, the following paragraphs should be used to document compliance with the conformity regulations:

This project is located within an area that the USEPA has designated as [nonattainment/a maintenance area] in relation to the national ambient air quality standards for [insert name(s) of applicable criteria pollutant(s)]. The project does not involve approvals or funding from the Federal Highway Administration but has been determined to be "regionally significant" under 40 CFR Part 93 "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and projects Funded or Approved Under Title 23 USC or the Federal Transit Act."

The Illinois Department of Transportation has confirmed that there is a currently conforming transportation plan and transportation improvement program and has determined that the plan, transportation improvement program, and project are consistent with 40 CFR Part 93.129, "Requirements for adoption or approval of projects by other recipients of funds designated under Title 23 USC or the Federal Transit Act."

Engineer of Design and Environment

